



JACK LANDIS  
October 8, 2013

Job No. 15141

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## APPEARANCES:

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JACK LANDIS,

having been first duly sworn, testified as follows:

## EXAMINATION

BY MR. COSTEA:

Q. Good morning. Please state your full name.

A. Jack Landis.

Q. Mr. Landis, are you employed anywhere right now?

A. Yes, sir.

Q. Where do you work?

A. National Oilwell Varco.

Q. How long have you worked there?

A. 35 years.

Q. And that puts us back -- that means you started when? In 1978?

A. Yes, sir.

Q. You're nodding. Okay. 1978. What was the name of the company when you started out 35 years ago?

A. National Supply Company.

Q. And you have worked for them in Houston all this time?

A. Yes, sir.

Q. Continuously?

A. Yes.

Q. If you don't mind me asking you, how old are

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you? What is the year of your birth?

A. I'm 65. Born in 1948.

Q. And how much longer do you plan on working with NOV?

A. Probably a couple years.

Q. And what is your current position at NOV?

A. Production manager.

Q. At what facility?

A. We call it FM 529. It's --

Q. Is that in Tomball?

A. No, sir. It's on 290 west of Houston on the west side.

Q. How large is that facility employee wise?

A. How large?

Q. Yes.

A. Just over 500.

Q. Are you over the whole plant?

A. No, sir. Just the assembly department.

Q. How large is the assembly department employee wise?

A. Roughly about 200.

Q. So right now you're in charge of about 200 employees?

A. You know, I think I shot a little high there. 150 to 200.

2 (Pages 2 to 5)

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<p>1 Q. No problem. 150 to 200. Fair enough. And</p> <p>2 what types of crafts are the employees that work in</p> <p>3 the assembly department or what crafts?</p> <p>4 A. Well, they assemble heavy equipment, oil</p> <p>5 field equipment.</p> <p>6 Q. They assemble oil field equipment such as?</p> <p>7 A. Draw works, mud pumps.</p> <p>8 Q. What else?</p> <p>9 A. Rotating tables, torque converters.</p> <p>10 Q. Torque?</p> <p>11 A. Torque converters, swivels.</p> <p>12 Q. Okay.</p> <p>13 A. Hooks and blocks.</p> <p>14 Q. Among others, right?</p> <p>15 A. Yes.</p> <p>16 Q. What is -- what is draw works?</p> <p>17 A. Well, it's a great big winch.</p> <p>18 Q. Okay.</p> <p>19 A. It's what pulls the pipe in and out of the</p> <p>20 well.</p> <p>21 Q. Fair enough. A mud pump?</p> <p>22 A. It pumps drilling fluids down the well.</p> <p>23 Q. Go ahead.</p> <p>24 A. That's what it does.</p> <p>25 Q. Oh, down the well?</p>	<p>1 works and mud pumps as well, those are two pretty</p> <p>2 large ones. There's about 50 assemblers per</p> <p>3 department.</p> <p>4 Q. And how -- for instance, how is the draw</p> <p>5 works department organized? In teams? In groups?</p> <p>6 A. Teams.</p> <p>7 Q. I would imagine each time as a team leader</p> <p>8 assigned to it?</p> <p>9 A. A team lead and about roughly four members</p> <p>10 to the team including the team lead.</p> <p>11 Q. Is the team lead viewed as part of</p> <p>12 management?</p> <p>13 A. No, sir.</p> <p>14 Q. What about the supervisors?</p> <p>15 A. Yes, they are.</p> <p>16 Q. As production manager, do you have the</p> <p>17 authority to hire and fire employees?</p> <p>18 A. Yes, sir.</p> <p>19 Q. What about the supervisors, do they have the</p> <p>20 authority to hire and fire?</p> <p>21 A. They have the authority to recommend, yes.</p> <p>22 Not the actual.</p> <p>23 Q. How long have you been production manager?</p> <p>24 A. Four years.</p> <p>25 Q. So that puts us back in to 2009, right?</p>
Page 7	Page 9
<p>1 A. Pumps fluids down the pipe down the bottom</p> <p>2 to the drill bit.</p> <p>3 Q. What is a rotating table?</p> <p>4 A. That's what turns the bit.</p> <p>5 Q. So am I to understand that the assembly</p> <p>6 department is more or less organized along the various</p> <p>7 products that it manufactures like? You've got draw</p> <p>8 works, I don't know, group or division; is that</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. More or less?</p> <p>12 A. More or less.</p> <p>13 Q. And how do you call those groups?</p> <p>14 Departments, divisions?</p> <p>15 A. Departments.</p> <p>16 Q. So we are talking about, for instance, the</p> <p>17 draw works department, right?</p> <p>18 A. Yes, sir.</p> <p>19 Q. And I would imagine that over each</p> <p>20 department there is like a manager or --</p> <p>21 A. Supervisor.</p> <p>22 Q. Supervisor. You called them supervisors.</p> <p>23 Okay. And about how many employees are there in a</p> <p>24 department? I guess it depends?</p> <p>25 A. Like it depends on the department. On draw</p>	<p>1 A. Yes, sir.</p> <p>2 Q. What part of 2009 did you become production</p> <p>3 manager?</p> <p>4 A. I'm thinking June.</p> <p>5 Q. Did you transfer to this facility from</p> <p>6 somewhere else or were you --</p> <p>7 A. Yes, I did.</p> <p>8 Q. From where?</p> <p>9 A. They call it North Houston Bammel.</p> <p>10 Q. And what was your job at North Houston</p> <p>11 Bammel?</p> <p>12 A. Field service.</p> <p>13 Q. Field service what?</p> <p>14 A. Rep.</p> <p>15 Q. What does that mean?</p> <p>16 A. That means I was a mechanic. I run around</p> <p>17 all over the world fixing broke drilling rigs.</p> <p>18 Q. Singapore and everything?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Got it. I travel overseas quite a bit; and</p> <p>21 I run into folks like you, just chitchat.</p> <p>22 A. We're everywhere there's oil field.</p> <p>23 Q. And I see they wear their NOV caps and KBR</p> <p>24 caps and so I recognize them. So you are one of</p> <p>25 those?</p>

3 (Pages 6 to 9)

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<p>1 A. I'm one of those guys.</p> <p>2 Q. So I take it that before June of 2009 you</p> <p>3 were not in management or supervision?</p> <p>4 A. No.</p> <p>5 Q. And so you got a pretty good promotion then,</p> <p>6 right, back in June, 2009 from field service rep to</p> <p>7 plant production manager?</p> <p>8 A. I made more money before.</p> <p>9 Q. I see. But along the lines --</p> <p>10 A. What I did do is as a field service rep I</p> <p>11 was salary nonexempt and that means I did -- was -- I</p> <p>12 got overtime, paid overtime and I went to salaried</p> <p>13 exempt which is no overtime involved. It's just</p> <p>14 salary.</p> <p>15 Q. Right. I understand. But in terms of your</p> <p>16 job responsibilities, you became a member of</p> <p>17 management in June of 2009 supervising 150, maybe more</p> <p>18 employees?</p> <p>19 A. Yes, sir.</p> <p>20 Q. Did you apply for that position, or were you</p> <p>21 just promoted?</p> <p>22 A. I applied for it.</p> <p>23 Q. Applied. Did you replace someone in that</p> <p>24 position?</p> <p>25 A. Yes, I did.</p>	<p>1 Q. Yes.</p> <p>2 A. Kevin Warren.</p> <p>3 Q. Is Mr. Warren still employed with NOV?</p> <p>4 A. No, sir.</p> <p>5 Q. What happened? He left? Was he fired?</p> <p>6 A. No, he quit.</p> <p>7 Q. When did he quit?</p> <p>8 A. When?</p> <p>9 Q. Yes.</p> <p>10 A. A couple of years ago.</p> <p>11 Q. Do you know why he quit?</p> <p>12 A. He got a better paying job.</p> <p>13 Q. A job somewhere else?</p> <p>14 A. Yeah, with a drilling contractor. With one</p> <p>15 of our customers.</p> <p>16 Q. Approximately how long after you came on</p> <p>17 board did he leave, did he quit? A year, two years?</p> <p>18 A. Probably a year plus a little change.</p> <p>19 Q. So let's talk about the group in which</p> <p>20 Mr. Garza worked. So he was an assembler, reported to</p> <p>21 Mr. Kevin Warren. Who else worked in that group, in</p> <p>22 Mr. Garza's group?</p> <p>23 A. There was a Rudy, but I can't --</p> <p>24 Q. Rudy Lopez?</p> <p>25 A. Rudy Lopez. That's it. Yes, sir.</p>
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<p>1 Q. Who did you replace?</p> <p>2 A. A guy named Bob Miller.</p> <p>3 Q. What happened to Bob Miller?</p> <p>4 A. He retired.</p> <p>5 Q. Do you know approximately how old he was at</p> <p>6 that time, at the time that he retired?</p> <p>7 A. I don't.</p> <p>8 Q. 60's? You don't know?</p> <p>9 A. Probably early 60's maybe. I don't know.</p> <p>10 Q. Do you know Jose Garza?</p> <p>11 A. Yes, sir.</p> <p>12 Q. And when did you -- did you and Mr. Garza</p> <p>13 work together at NOV?</p> <p>14 A. Yes.</p> <p>15 Q. Beginning with when?</p> <p>16 A. He was there when I came there in June.</p> <p>17 Q. June, 2009?</p> <p>18 A. Yes, sir.</p> <p>19 Q. What was his job when you came over?</p> <p>20 A. What was his job?</p> <p>21 Q. Yes, sir.</p> <p>22 A. He was an assembler in the draw works</p> <p>23 department.</p> <p>24 Q. And who was his boss at that point in time?</p> <p>25 A. Supervisor?</p>	<p>1 Q. Who else?</p> <p>2 A. There was a welder in his group.</p> <p>3 Q. Do you recall his name?</p> <p>4 A. We call him Snack, but I can't think of</p> <p>5 offhand his real name.</p> <p>6 Q. Snack?</p> <p>7 A. Yeah.</p> <p>8 Q. Why would you call him Snack? Why was his</p> <p>9 nickname Snack?</p> <p>10 A. Because he ate a lot.</p> <p>11 Q. He ate a lot?</p> <p>12 A. Yeah.</p> <p>13 Q. Was he a big man?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Can you describe him for me? Like his size,</p> <p>16 how tall he was.</p> <p>17 A. He was probably not quite as tall as me, but</p> <p>18 he out weighed me by a lot. He was big, heavy set.</p> <p>19 Q. Heavy set. About how tall was he?</p> <p>20 A. Oh, he might have barely been 6 feet.</p> <p>21 Q. And what would you think? 200 pounds?</p> <p>22 A. Oh, more.</p> <p>23 Q. More. 300 pounds?</p> <p>24 A. 250, 300.</p> <p>25 Q. Do you recall his name?</p>

4 (Pages 10 to 13)

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1 A. I will before the day is out.  
2 Q. Is he still employed with the company?  
3 A. No, sir.  
4 Q. What happened? Did he quit? Was he fired?  
5 A. He was terminated.  
6 Q. By whom?  
7 A. HR actually.  
8 Q. Did someone recommend to HR that he be  
9 terminated?  
10 A. I don't think so.  
11 Q. Did you sign off on his termination papers?  
12 A. I didn't have to.  
13 Q. Oh, I see. Why was he fired?  
14 A. Well, he got in an altercation with another  
15 employee. We were having a baseball tournament. It  
16 was a United Way thing raising money and he --  
17 actually I wasn't there but he -- I think he might  
18 have pulled a knife on a guy just playing, not really  
19 open it up or nothing but he pulled it out and that  
20 was enough for HR to terminate him.  
21 Q. On whom did he pull the knife?  
22 A. I have no idea.  
23 Q. Was it an employee of NOV?  
24 A. Yes, it was.  
25 Q. So so far you told me -- well, strike that.

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1 (Witness moving head up and down.)  
2 Q. (By Mr. Costea) Now, I understand Mr. Garza  
3 is no longer employed with the company, right?  
4 A. Correct.  
5 Q. When Mr. Garza -- I understand Mr. Garza was  
6 let go, fired?  
7 (Witness moving head up and down.)  
8 Q. (By Mr. Costea) Sir?  
9 A. Yes.  
10 Q. Who fired him?  
11 A. I probably did. Either me or HR. I'm not  
12 sure. It was probably a joint effort.  
13 Q. Now, was Mr. Garza fired before or after  
14 Mr. Hunt?  
15 A. Before.  
16 Q. Let's talk about Mr. Hunt and I apologize  
17 for being blunt here but given the nature of the case,  
18 I have to. Were there any rumors about Mr. Hunt being  
19 homosexual in the work place?  
20 A. No.  
21 Q. Did you hear any feedback from coworkers or  
22 employees that he was behaving oddly, inappropriately  
23 in the work place?  
24 A. It's according to what you call oddly. He  
25 is kind of an odd duck.

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1 When was Snack fired? Well, let's  
2 see. Was it this year?  
3 A. No. It was last year.  
4 Q. 2012?  
5 A. It may have been 2011 even.  
6 Q. 2011?  
7 A. I'm not sure about that.  
8 Q. Do you recall what part of the year this  
9 incident occurred?  
10 A. Well, it would have been in the spring  
11 between March and April.  
12 Q. Who informed you that he had been  
13 terminated?  
14 A. Who informed me?  
15 Q. Right. How did you become aware that he had  
16 been terminated?  
17 A. I would assume HR told me.  
18 Q. Now, other than Jose Garza, Kevin Warren,  
19 Rudy Lopez, and the welder Snack, did anybody else  
20 work in Mr. Garza's group? You gave me four names so  
21 far.  
22 A. I don't remember.  
23 Q. Is the name Steve Hunt familiar to you?  
24 A. That's Snack.  
25 Q. That's Snack?

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1 Q. He's an odd duck.  
2 A. He --  
3 Q. Can you substantiate -- go ahead.  
4 A. I guess just his way of speech maybe. He's  
5 just a pretty vulgar guy.  
6 Q. Vulgar?  
7 A. Yeah.  
8 Q. I won't ask you to actually give me the  
9 words, but are you talking about along the lines of  
10 using the "F" word in the work place?  
11 A. Oh, yeah.  
12 Q. SOB?  
13 A. Yeah.  
14 Q. In referencing -- in reference to  
15 coworkers? In reference to what?  
16 A. No, just -- no, material things mostly. I  
17 don't think he ever called any of his coworkers.  
18 Q. So he's -- his speech was vulgar. What else  
19 with respect to his speech made him an odd duck in  
20 your terms?  
21 A. I guess that's pretty much basically it.  
22 Q. Okay.  
23 A. Just listening to the guy.  
24 Q. What about his behavior? Did you notice  
25 anything odd in his behavior?

5 (Pages 14 to 17)

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1 A. No.  
2 Q. What about his interactions with coworkers?  
3 A. I think he generally got along okay with  
4 everybody he worked with.  
5 Q. When he would use vulgar words, in reference  
6 to what would he use the vulgar words?  
7 MS. WHITE: Objection. Form.  
8 Q. (By Mr. Costea) You said it was not  
9 people. If it was not people, what was it?  
10 A. Mostly just work related things, what goes  
11 on in the shop.  
12 Q. Like what? Complaining about assignments,  
13 complaining about --  
14 A. No, he never did complain.  
15 Q. I'm trying to figure out from you,  
16 Mr. Landis, you supervised him for a while: On what  
17 do you base your statement that he was vulgar?  
18 A. Well, just the words that he used.  
19 Q. Yeah. Referencing what? The tools, the  
20 food, the company?  
21 MS. WHITE: Objection. Form.  
22 A. He's just one of those guys that every third  
23 out of his mouth is a can you say word. Not  
24 particularly talking about anything.  
25 Q. (By Mr. Costea) I see. Do you know whether

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1 or not he was married at the time that he worked for  
2 the company?  
3 A. Yes.  
4 Q. He was married?  
5 (Witness moving head up and down.)  
6 Q. (By Mr. Costea) Had a wife and kids?  
7 A. Had a wife and at least a kid. I'm not sure  
8 if he had more.  
9 Q. Had he gotten married while he was employed  
10 with the company?  
11 A. Oh, I don't know. He was there when I got  
12 there.  
13 Q. So you did not hire him, right?  
14 A. No, sir, I didn't hire him.  
15 Q. Have you had -- have you counseled him on --  
16 reprimanded him on the vulgar language he used in the  
17 work place?  
18 A. No.  
19 Q. Did the company have a policy against the  
20 use of vulgar language in the work place?  
21 A. No.  
22 Q. Sir?  
23 A. No.  
24 Q. It did not?  
25 (Witness shaking head from side to

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1 side.)  
2 Q. (By Mr. Costea) Have you received any  
3 complaints from his coworkers about Mr. Hunt?  
4 A. No.  
5 Q. Did anyone complain to you about him?  
6 A. No.  
7 Q. Did anyone disclose to you that before you  
8 came on board various coworkers of Mr. Hunt had  
9 complaints about him?  
10 MS. WHITE: Objection. Form.  
11 Answer if you can.  
12 THE WITNESS: Pardon me?  
13 MS. WHITE: Answer if you can.  
14 Q. (By Mr. Costea) I understand that no one  
15 came to you to complain about Mr. Hunt.  
16 A. Right.  
17 Q. I understand that much. My question is a  
18 bit different. When you came on board or thereafter,  
19 did anyone tell you that in the past before you came  
20 to the plant that his coworkers complained about him?  
21 MS. WHITE: Objection. Form.  
22 A. Yes, I heard rumors.  
23 Q. (By Mr. Costea) What did you hear?  
24 A. Well, I heard that Mr. Garza had filed a  
25 complaint against him for sexual harassment, I guess.

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1 Q. Who told you about that?  
2 A. It was just common knowledge.  
3 Q. It was common knowledge on the floor in the  
4 department?  
5 A. Yes.  
6 Q. In the plant?  
7 A. Yes.  
8 Q. So you cannot actually tell me who told you  
9 that he had filed a complaint of sexual harassment?  
10 A. No.  
11 Q. Just people talking about it?  
12 A. Correct.  
13 Q. Over what period of time do you recall that  
14 there was talk in the shop about Mr. Garza filing a  
15 complaint of sexual harassment against Mr. Hunt?  
16 Weeks, months, years?  
17 A. At least months.  
18 Q. When was the last time that you recall that  
19 you heard people talk about his complaint of sexual  
20 harassment?  
21 A. Shoot. They both have been gone so long  
22 it's been a couple years at least.  
23 Q. Did you ask any questions, details about  
24 Mr. Garza's sexual harassment complaint?  
25 MS. WHITE: Objection. Form.

6 (Pages 18 to 21)

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<p>1 A. Actually I don't think I did ask any 2 questions about it, no. 3 Q. (By Mr. Costea) Did Mr. Garza himself tell 4 you that he had filed a complaint of sexual 5 harassment -- 6 A. No, sir. 7 Q. -- against Mr. Hunt? 8 A. No, sir. 9 Q. Did anyone else -- I'm sorry. Did -- were 10 you told about anyone else other than Mr. Garza 11 complaining about Mr. Hunt? 12 A. No. 13 Q. From the time that you came on board in 14 2009, June of 2009, until Mr. Hunt was terminated, did 15 you discipline him at all for anything? 16 A. No. 17 Q. Do you know if he received any disciplinary 18 actions, if not from you maybe from someone else? 19 A. Not that I'm aware of. 20 Q. In 2009 when you came on board, was there an 21 HR office at the plant? 22 A. Yes. 23 Q. And who was in charge of the HR office? 24 A. Bill Butler. 25 Q. Is Mr. Butler still employed with NOV?</p>	<p>1 sexual harassment? 2 A. No, sir. 3 Q. Between the time that you came on board in 4 June of 2009 and October, the end of October when I'll 5 represent to you Mr. Garza according to the documents 6 was let go, did you have any other conversations with 7 Mr. Hunt in which -- I'm sorry, with Mr. Garza in 8 which he complained about Mr. Hunt? 9 (Witness shaking head from side to 10 side.) 11 Q. (By Mr. Costea) Sir? 12 A. No, sir, I don't think so. 13 Q. Tell me what you recall about the time when 14 Mr. Garza came to you and said he did not want to work 15 with Mr. Hunt. Tell me everything you recall, 16 please. 17 A. Well, we were out on the shop floor and he 18 came up and he was hollering and shouting and shaking 19 the finger in the face and said he wanted to transfer 20 to mud pumps. Actually I'm not sure that he mentioned 21 any names why. He said he just couldn't stand it 22 there any longer and he wanted to go to mud pumps and 23 Kevin Warren, who is his supervisor, walked up at the 24 time and he said -- told him just, you know, quit 25 causing trouble, just go on back to work and he</p>
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<p>1 A. Yes, sir. 2 Q. Did you and Mr. Butler have any 3 conversations about Mr. Garza filing a complaint for 4 sexual harassment against Mr. Hunt? 5 A. I don't know. 6 Q. Did any employees come to you to tell you 7 that they did not want to work with Mr. Hunt? 8 A. No, sir. 9 Q. I'm including -- 10 A. If you're including Mr. Garza, yes. 11 Q. So Mr. Garza -- 12 A. He did. 13 Q. Mr. Garza said that he didn't want to work 14 with Mr. Hunt? 15 A. Yes. 16 Q. When did he say that to you? 17 A. Actually the day that his termination began. 18 Q. And did he say to you yourself directly that 19 he didn't want to work with Mr. Hunt? 20 A. He said that directly, yes. 21 Q. Did he say why he did not want to work with 22 Mr. Hunt anymore? 23 A. No, sir. 24 Q. Did you connect in your mind that maybe he 25 did not want to work with Mr. Hunt because of the</p>	<p>1 refused to and there were more words exchanged and 2 then we finally walked him to HR and after a visit 3 with HR sitting there, we determined to send him home 4 for the day. 5 Q. We will get back and we are going through 6 some documents but let me ask you a couple of 7 questions about other subjects on which I don't have 8 documents, at least not yet or maybe not the documents 9 that I would need. Have you received sexual 10 harassment training at NOV? 11 A. Yes. 12 Q. When was the last time that you received 13 sexual harassment training? 14 A. Probably a year. 15 Q. A year ago? 16 A. Yes. 17 Q. Where? 18 A. There. 19 Q. At 529? 20 A. Yes. 21 Q. Was it like in a classroom type training, or 22 what do you remember? 23 A. We have had classroom and online as well. 24 Q. Approximately how many employees attended 25 that classroom training in sexual harassment?</p>

7 (Pages 22 to 25)

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1 A. There were several classes.  
2 Q. How large were the classes?  
3 A. Oh, 20 people maybe.  
4 Q. All 20 people?  
5 A. 20 people per class maybe.  
6 Q. 20 people per class. Okay. Did the whole  
7 plant attend the sexual harassment classes over the  
8 period of time?  
9 A. More or less, yes.  
10 Q. And was that over the period of a week?  
11 A. It was for sure any supervisors or team  
12 leads.  
13 Q. And how long was your class?  
14 A. What I mostly remember is doing it online.  
15 I wouldn't think more than an hour maybe.  
16 Q. Sir?  
17 A. Maybe an hour.  
18 Q. Before last year did you take any other  
19 sexual harassment courses at NOV?  
20 A. No.  
21 Q. Do you know what brought about this class?  
22 Did anything happen that prompted -- as far as you  
23 know that prompted the company to hold sexual  
24 harassment classes for --  
25 A. No, sir. I think just -- I think more or

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1 less it's an industry wide thing to do.  
2 Q. So for the previous 34 years or so with your  
3 employment with NOV, you had not received training in  
4 sexual harassment?  
5 A. No.  
6 Q. We're going to look at some documents now.  
7 (Exhibit No. 1 marked.)  
8 Q. (By Mr. Costea) We are looking at Exhibit  
9 No. 1; and I have a simple question for you,  
10 Mr. Landis. Have you seen either page 1 or page 2 of  
11 this document?  
12 A. No.  
13 Q. Before today?  
14 A. No.  
15 Q. Thank you.  
16 (Exhibit No. 2 marked.)  
17 Q. (By Mr. Costea) We are now looking, sir, at  
18 Exhibit No. 2; and I have the same question for you.  
19 Have you seen this document or any pages of this  
20 document of this exhibit before?  
21 A. I have seen this before.  
22 Q. You recognize this document as being a  
23 performance evaluation on Mr. Garza?  
24 A. Yes, sir.  
25 Q. With a review date of April 26 of 2007,

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1 right?  
2 A. Uh-huh.  
3 Q. When was the first time you saw this  
4 evaluation?  
5 A. This particular one?  
6 Q. Yes.  
7 A. Right now.  
8 Q. Right now. Well, before today, have you  
9 seen it before today?  
10 A. On Jose Garza?  
11 Q. Yes.  
12 A. No, sir.  
13 Q. Now, in looking at this document, Exhibit  
14 No. 2 -- well, strike that.  
15 Right now do you do performance  
16 evaluations at the plant?  
17 A. Yes.  
18 Q. Is the format for the performance  
19 evaluations identical to this format that you have in  
20 front of you?  
21 A. It's not identical anymore. It's changed,  
22 but basically it is the same.  
23 Q. And how --  
24 A. Just a little.  
25 Q. Go ahead, please.

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1 A. They've just changed the format a little  
2 bit. Made it faster, easier.  
3 Q. Okay. And how frequently are employees  
4 supposed to be reviewed on their performance?  
5 A. Yearly. Annually.  
6 Q. Do you recall Mr. Hunt receiving employment  
7 evaluations beginning with, let's say, 2009 and onward  
8 since you came on board?  
9 A. He would have been evaluated but not by me.  
10 Q. By who?  
11 A. By his supervisor.  
12 Q. I failed to ask you: In 2009 who was his  
13 supervisor?  
14 A. Kevin Warren. In 2009?  
15 Q. Yeah. You came on board in -- at the 529  
16 facility in June of 2009. Kevin Warren was the lead  
17 man, right, the team lead?  
18 A. He came after I did.  
19 Q. Then who was the team lead? Was it  
20 Rudy Lopez?  
21 A. No. It was -- you're saying team lead, or  
22 are you saying supervisor?  
23 Q. Well, I know they are two different things.  
24 So let's start with the team lead.  
25 A. The team leads don't get involved in these

8 (Pages 26 to 29)

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<p>1 Q. Yeah. You said there's about 150 to 200.</p> <p>2 A. I think there's -- actually that report</p> <p>3 directly to me, one.</p> <p>4 Q. One. What's her job classification?</p> <p>5 A. Clerical assistant.</p> <p>6 Q. Clerical assistant to you?</p> <p>7 A. She doesn't work on the floor.</p> <p>8 Q. Tell you what, let's go ahead and look at</p> <p>9 another document here which is going to be Exhibit No.</p> <p>10 4.</p> <p>11 (Exhibit No. 4 marked.)</p> <p>12 Q. (By Mr. Costea) And, again, I'll represent</p> <p>13 to you, Mr. Landis, these are documents given to me by</p> <p>14 defense counsel in the course of this litigation and</p> <p>15 I'll ask you about the first page. Have you seen the</p> <p>16 first page of this document before, page 1 of Exhibit</p> <p>17 4?</p> <p>18 A. No, I have not seen it.</p> <p>19 Q. What about page 2 of Exhibit 4?</p> <p>20 A. I've never seen this.</p> <p>21 Q. Go ahead and read the -- strike that.</p> <p>22 Page 2 of Exhibit No. 4 is a corrective</p> <p>23 action, right?</p> <p>24 A. Yes, it is.</p> <p>25 Q. You will see at the top Mr. Garza's name;</p>	<p>1 A. Yes.</p> <p>2 Q. Is the -- is the signature right at the</p> <p>3 bottom of that page your signature?</p> <p>4 A. Yes, it is.</p> <p>5 Q. You recall having -- you recall this</p> <p>6 corrective action report being given to Mr. Garza,</p> <p>7 correct?</p> <p>8 A. Yes.</p> <p>9 Q. Do you remember it?</p> <p>10 A. Yes.</p> <p>11 Q. You remember it?</p> <p>12 A. Uh-huh.</p> <p>13 Q. I would like for you to explain to help me</p> <p>14 understand this document. It says here that "The</p> <p>15 employee," which is Mr. Garza, "argued the correct</p> <p>16 procedures for assembling shafts." First of all what</p> <p>17 is a shaft? I'm talking about in your -- at your --</p> <p>18 A. The shaft they're talking about is that big</p> <p>19 in diameter and probably 6 feet long.</p> <p>20 Q. It's like a pipe, a huge pipe?</p> <p>21 A. Except it's solid.</p> <p>22 Q. Okay. Solid.</p> <p>23 A. Solid steel and it's got different</p> <p>24 dimensions machined on it.</p> <p>25 Q. And as of August of 2009, were there any</p>
Page 39	Page 41
<p>1 and to the right you will see date of the incident</p> <p>2 April 24, 2009, right?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Did Mr. Miller tell you about the incident</p> <p>5 that's identified in this corrective action?</p> <p>6 A. Mr. Miller didn't change any notes from me.</p> <p>7 I walked in the door, and he walked out.</p> <p>8 Q. Fair enough. Thank you. Now, just go ahead</p> <p>9 and look at the description of the incident. And the</p> <p>10 first line says "On April the 13th Mr. Garza was</p> <p>11 alleged to have used racial language to a coworker."</p> <p>12 Did you know anything about that before today?</p> <p>13 A. Nothing.</p> <p>14 Q. Going on to the next page of Exhibit No. 4,</p> <p>15 Mr. Landis, it's a corrective action report on</p> <p>16 Mr. Garza with a date of May the 1st, 2009. Have you</p> <p>17 seen this document before?</p> <p>18 A. No, I've not seen it before.</p> <p>19 Q. Next one is actually the last page -- no,</p> <p>20 it's not the last page. It's page 4 of Exhibit No.</p> <p>21 4. It's a corrective action report on Mr. Garza and</p> <p>22 you're identified as being his manager, right?</p> <p>23 A. Yes.</p> <p>24 Q. And the date of this corrective action</p> <p>25 report is August the 13th, 2009, correct?</p>	<p>1 written procedures for assembling the shafts?</p> <p>2 A. No, probably not.</p> <p>3 Q. Were those procedures standard procedures?</p> <p>4 (Witness moving head up and down.)</p> <p>5 Q. (By Mr. Costea) Along the lines of an ISO</p> <p>6 standard procedure?</p> <p>7 A. You're talking about the procedure that</p> <p>8 Jose Garza was using here?</p> <p>9 Q. I'm talking about it says "Employee argued</p> <p>10 the correct procedures for assembling shafts" and</p> <p>11 first of all I'm trying to figure out if in August of</p> <p>12 2009 there were written procedures for assembling</p> <p>13 shafts and your answer was, no, there were not written</p> <p>14 procedures. So the next question is: What types of</p> <p>15 procedures are you talking about? Procedures along</p> <p>16 the lines of ISO? You know what an ISO procedures is,</p> <p>17 right?</p> <p>18 A. I know what that is, yes.</p> <p>19 Q. Is that what this document is intended to</p> <p>20 convey?</p> <p>21 A. No.</p> <p>22 Q. What procedures then? Are you talking about</p> <p>23 informal procedures --</p> <p>24 A. Informal, yes.</p> <p>25 Q. -- used at the plant?</p>

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<p>1 forklift someone needs to have a certification or 2 something to be able to drive a forklift; is that 3 accurate? 4 A. Today. 5 Q. Back in 2009? 6 A. Not back in '09. 7 Q. But in 2013 that would be required? 8 (Witness moving head up and down.) 9 Q. (By Mr. Costea) When did that change come 10 about? 11 A. A couple years ago. 12 Q. Was that -- is that like an OSHA 13 requirement? 14 A. No. It's just a plant requirement. 15 Q. Industry standard plant? 16 A. Yes. Yes, sir. 17 Q. Fair enough. Thank you. 18 (Exhibit No. 5 marked.) 19 Q. (By Mr. Costea) Mr. Landis, you are looking 20 at Exhibit No. 5; and I'm going to ask you a couple of 21 questions about this document. Let's see. On page 2 22 of Exhibit No. 5, your name appears. Do you recognize 23 page 2 of Exhibit No. 5? 24 A. Yes, sir. 25 Q. So you remember this document. Did you</p>	<p>1 A. Yes, sir. 2 Q. Do you recall any discrepancies between the 3 typed statement and the handwritten statement that you 4 actually wrote? 5 A. No. 6 Q. Let's see what your statement says. It says 7 that on Tuesday, October 27th at 3:30 p.m. Mr. Garza 8 stopped you on the shop floor and demanded that he be 9 moved from draw works assembly over to mud pump 10 assembly. Did he use the word "I demand that I be 11 moved over to the mud pump assembly"? 12 A. He did not use the exact word "demand." 13 Q. Tell me -- 14 A. He told me in uncertain terms that he wanted 15 to be moved. 16 Q. Well, what -- I mean, you use the word 17 "demand" and that kind of implies that he was being 18 impolite. And I'm trying to figure out upon what you 19 base that. Was it -- did he use vulgarity when he 20 asked that he be transferred? 21 MS. WHITE: Objection. Form. 22 A. I don't remember. 23 Q. (By Mr. Costea) And the next line says that 24 he stated to you that he could not work with those 25 people any longer. Did he give names?</p>
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<p>1 actually type up this page, sir? 2 A. I didn't actually type it. I wrote it. 3 Q. You handwritten -- I'm sorry. You hand 4 wrote it? 5 A. Hand wrote it, yes. 6 Q. And who typed it up? 7 A. The receptionist. 8 Q. What's her name? 9 A. Sabrina Carr. 10 Q. Is the handwritten -- is your handwritten 11 statement still around? Do you know? 12 A. I haven't been able to find it. 13 Q. You've been looking for it? 14 A. Yes. 15 Q. When did you write it? 16 A. I would say October the 28th. 17 Q. And did somebody suggest you write this 18 statement, or how did this statement come about? 19 A. I'm feeling the HR asked me to write it. 20 Q. Who in HR? 21 A. Bill Butler. 22 Q. Did he tell you for what purpose? 23 A. No. 24 Q. You just read the one paragraph statement 25 that you wrote, right?</p>	<p>1 A. I don't think so. 2 Q. With reference to quote "those people," did 3 he mean people in draw works? 4 A. Well, I'd have to -- 5 MS. WHITE: Objection. Form. 6 A. -- assume those were the people he was 7 working with. 8 Q. (By Mr. Costea) Sir? 9 A. Yes. 10 Q. You state that you replied that "We have no 11 need for more assemblers in mud pumps or over head 12 equipment" and then you state that Kevin Warren and 13 Rudy Lopez walked up and Kevin asked Mr. Garza "What 14 is the problem?" Now, based upon in light of this 15 sentence here, do you recall Mr. Lopez being the team 16 lead over draw works, over the group in which 17 Mr. Garza worked? 18 A. I think he was. 19 Q. The next line says that Mr. Garza stated 20 that Rudy had been telling lies about him and he was 21 not comfortable working with Steve Hunt, right? 22 A. Correct. 23 Q. So that statement that Mr. Garza was not 24 comfortable working with Steve Hunt was made in your 25 presence?</p>

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<p>1 A. Yes.</p> <p>2 Q. And in the presence of Mr. Warren and</p> <p>3 Mr. Lopez?</p> <p>4 A. Uh-huh.</p> <p>5 Q. "Yes," sir?</p> <p>6 A. Yes.</p> <p>7 Q. Did Mr. Garza explain what lies Mr. Lopez</p> <p>8 had allegedly told about him?</p> <p>9 A. Not that I'm aware of.</p> <p>10 Q. Did you or Mr. Warren or Mr. Lopez ask in</p> <p>11 this conversation during this incident, did you ask</p> <p>12 Mr. Garza why he was not comfortable working with</p> <p>13 Steve Hunt?</p> <p>14 A. No.</p> <p>15 Q. Do you think that it was your responsibility</p> <p>16 to make inquiries to ask why he was not comfortable</p> <p>17 working with Steve Hunt?</p> <p>18 A. Maybe but I didn't.</p> <p>19 Q. Now, by this point in time, you knew that</p> <p>20 Mr. Hunt was an odd duck, right?</p> <p>21 A. Uh-huh.</p> <p>22 Q. That's a "yes"?</p> <p>23 A. Yes.</p> <p>24 Q. And by this point in time, you knew that</p> <p>25 Mr. Garza had alleged that Mr. Hunt had sexually</p>	<p>1 Q. Now, who was over the -- over the mud pump</p> <p>2 assembly? Who was the supervisor?</p> <p>3 A. At that time it was probably a guy named</p> <p>4 Henry Castellanos.</p> <p>5 Q. Is Mr. Castellanos still employed with NOV?</p> <p>6 A. Yes.</p> <p>7 Q. Have you made any inquiries of</p> <p>8 Mr. Castellanos to see if there were any spots</p> <p>9 available in mud pump?</p> <p>10 A. Yes.</p> <p>11 Q. Another sentence in your statement states</p> <p>12 that "Mr. Garza became furious and started shaking his</p> <p>13 finger in our faces again." Did he use vulgarity at</p> <p>14 all?</p> <p>15 A. I don't remember.</p> <p>16 Q. "And then at that point we asked him to</p> <p>17 joint us at the office of Bill Butler." And did he</p> <p>18 comply with your request?</p> <p>19 A. Yes, he did.</p> <p>20 Q. So tell me, who went to Mr. Butler's office?</p> <p>21 A. Who went in?</p> <p>22 Q. Right.</p> <p>23 A. It was Kevin Warren, Jose Garza, and myself.</p> <p>24 Q. What about Rudy?</p> <p>25 A. No, sir.</p>
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<p>1 harassed him?</p> <p>2 A. I think I knew it by then.</p> <p>3 Q. And even though you knew these details, you</p> <p>4 did not bother to ask Mr. Garza why he felt</p> <p>5 uncomfortable working with Mr. Hunt?</p> <p>6 MS. WHITE: Objection. Form.</p> <p>7 A. Right. I don't recall asking him.</p> <p>8 Q. (By Mr. Costea) The next line in your</p> <p>9 paragraph states "As far as I know, Rudy had not said</p> <p>10 anything about Mr. Garza and Steve was okay working</p> <p>11 with him." I want to ask you about Steve. It seems</p> <p>12 to me that you are stating in that sentence that</p> <p>13 Steve Hunt was okay working with Mr. Garza. Is that</p> <p>14 what you are conveying in that sentence?</p> <p>15 A. Yes.</p> <p>16 Q. How do you know that? Did you ask Steve</p> <p>17 that?</p> <p>18 A. I'm sure I did, yes.</p> <p>19 Q. Then next you say that Mr. Garza began</p> <p>20 shaking his finger in your face and in Kevin's face</p> <p>21 saying he wanted to be moved to another group. You're</p> <p>22 talking about Mr. Garza literally pointing his finger</p> <p>23 in your face and Kevin's face saying "I want to be</p> <p>24 moved to another group"?</p> <p>25 A. Yes.</p>	<p>1 Q. Tell me what happened in Mr. Butler's</p> <p>2 office. Did you say anything?</p> <p>3 A. I don't remember.</p> <p>4 Q. Well, let me see if I can refresh your</p> <p>5 recollection. Did you say anything?</p> <p>6 A. Did I say anything?</p> <p>7 Q. Right.</p> <p>8 A. I don't know.</p> <p>9 Q. Did Mr. Garza say anything?</p> <p>10 A. Again, I don't know.</p> <p>11 Q. Okay.</p> <p>12 A. That's a long time ago.</p> <p>13 Q. Well, we lawyers are curious. So --</p> <p>14 all right. We want to know everything. So I</p> <p>15 apologize. Just be patient with me, please.</p> <p>16 Mr. Warren, did he say anything?</p> <p>17 A. I just don't remember what all was said,</p> <p>18 what all was said or who said it.</p> <p>19 Q. How did Mr. Garza behave in this meeting?</p> <p>20 A. I don't know.</p> <p>21 Q. Was there any discussion whatsoever among</p> <p>22 the four of you about why Mr. Garza wanted to leave</p> <p>23 the draw works group?</p> <p>24 A. I don't recall any, no.</p> <p>25 Q. Did the name of Steve Hunt come up in that</p>

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<p>1 conversation?</p> <p>2 A. Not that I recall, no, sir.</p> <p>3 Q. Did Mr. Butler ask Mr. Garza why he wanted</p> <p>4 to move out of the department -- I'm sorry, out of the</p> <p>5 draw works assembly?</p> <p>6 A. Again, I don't know.</p> <p>7 Q. Do you recall approximately how long this</p> <p>8 meeting was with the four of you?</p> <p>9 A. It seems it probably wasn't more than 15</p> <p>10 minutes.</p> <p>11 Q. So the meeting, I understand, concluded by</p> <p>12 suspending Mr. Garza, right?</p> <p>13 A. Yes, sir, for one day or two.</p> <p>14 Q. Who came up with the idea of suspending him?</p> <p>15 A. I'm not real sure.</p> <p>16 Q. Why was Mr. Garza suspended?</p> <p>17 A. Well, basically I think when he was asked</p> <p>18 to, you know, pipe down and get back to work he</p> <p>19 refused to do it. He refused to go back to work or he</p> <p>20 failed to do it and --</p> <p>21 Q. Was he suspended with or without pay?</p> <p>22 A. I'm sure it would have been without.</p> <p>23 Q. And what was supposed to take place during</p> <p>24 his suspension of one or two days? What was supposed</p> <p>25 to take place during the suspension? An</p>	<p>1 question is a bit different. Did anyone advise you</p> <p>2 that he had engaged in prior acts of insubordination?</p> <p>3 A. Well, I'd assume I found out through HR that</p> <p>4 he had prior write-ups, yes.</p> <p>5 Q. So was it at the end of this meeting that</p> <p>6 you had with Mr. Butler that Mr. Butler asked you and</p> <p>7 Mr. Warren to write statements about what happened</p> <p>8 that day?</p> <p>9 MS. WHITE: Objection. Form.</p> <p>10 Q. (By Mr. Costea) You told me that you wrote</p> <p>11 your statement because Mr. Butler suggested that you</p> <p>12 do so.</p> <p>13 A. It could have been the next morning. You</p> <p>14 know, I don't know.</p> <p>15 Q. So then was it that act of insubordination</p> <p>16 that caused Mr. Garza's termination that he refused to</p> <p>17 go back to work?</p> <p>18 MS. WHITE: Objection. Form.</p> <p>19 A. I think that was the final act, yes.</p> <p>20 Q. (By Mr. Costea) So tell me in your own</p> <p>21 words what was your understanding as to why he was let</p> <p>22 go.</p> <p>23 A. Well, just reading the final write-up, it</p> <p>24 says insubordination.</p> <p>25 Q. And who made the decision to fire him? Who</p>
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<p>1 investigation, conversations?</p> <p>2 A. As far as I know HR, Bill Butler was going</p> <p>3 to investigate the incident and see.</p> <p>4 Q. Okay.</p> <p>5 A. Just make a decision as to what to do.</p> <p>6 Q. Were you also considering -- was the</p> <p>7 suspension designed to give you time to move him from</p> <p>8 draw works to the mud pump?</p> <p>9 A. No.</p> <p>10 Q. In the last line of -- the last sentence of</p> <p>11 your paragraph, you talk about Mr. Garza's quote</p> <p>12 "Prior acts of insubordination." Tell me about</p> <p>13 those. What prior acts of insubordination have</p> <p>14 occurred before October 27th?</p> <p>15 A. I don't remember.</p> <p>16 Q. Well, did you know -- I mean, did you know</p> <p>17 for a fact when you hand wrote this statement that</p> <p>18 prior to October 27th, 2009 Mr. Garza had engaged in</p> <p>19 prior acts of insubordination?</p> <p>20 A. I can't just sit here and give an example of</p> <p>21 it, no. It's too long ago.</p> <p>22 Q. I understand. But do you recall anyone</p> <p>23 telling you that prior to October 27th, 2009 Mr. Garza</p> <p>24 had engaged in prior acts of insubordination? I</p> <p>25 understand you do not know what those were. The</p>	<p>1 first suggested it? Was it you, was it Mr. Butter,</p> <p>2 Mr. Warren?</p> <p>3 MS. WHITE: Objection. Form.</p> <p>4 A. Yeah, it could have been me. It could have</p> <p>5 been any of the above. I'm not sure.</p> <p>6 Q. (By Mr. Costea) Any of the three of you?</p> <p>7 A. Yes. It was agreed upon anyway between us.</p> <p>8 Q. Right. Do you know how long Mr. Garza was</p> <p>9 out on suspension?</p> <p>10 A. No, I don't. Just reading this it says two</p> <p>11 days.</p> <p>12 Q. Let's look at another document now.</p> <p>13 (Exhibit No. 6 marked.)</p> <p>14 Q. (By Mr. Costea) Mr. Landis, you are looking</p> <p>15 at Exhibit No. 6. I'll represent to you once again</p> <p>16 that this document consists of pages of documents</p> <p>17 given to me by defense counsel in this case. The</p> <p>18 first document that appears on page 1 of Exhibit 6 is</p> <p>19 National Oilwell Varco's Nondiscrimination and</p> <p>20 Anti-Harassment Policy with a date, effective date of</p> <p>21 2-12-1988, revision date 4-20 of 1998, right?</p> <p>22 A. Yes.</p> <p>23 Q. Have you seen this document before?</p> <p>24 A. I can't say that I've exactly seen this</p> <p>25 document, no.</p>

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<p>1 Q. In the sexual harassment training that you 2 received a year ago, was it mentioned that same sex 3 harassment is against the law? 4 A. Is it against the law? 5 Q. Yes. 6 A. Yes. 7 Q. Was it mentioned that same sex harassment is 8 against the law meaning male on male and female on 9 female? 10 A. Yes. 11 Q. Was it also mentioned that retaliation, 12 retaliating on an employee because an employee 13 complains of sexual harassment is also against the 14 law? 15 A. Retaliation is, yes. 16 Q. Failed to ask you: The classroom training 17 that you received, was it given by a person as opposed 18 to watching a video, for instance? 19 A. I think it was a combination. 20 Q. Combination. Who gave the training? Was it 21 a lawyer? Was it HR? 22 A. It wasn't a lawyer. It was probably HR. 23 Q. Both a lawyer and HR? 24 A. No, no lawyer. 25 Q. I'm sorry. HR, no lawyer?</p>	<p>1 Q. Does NOV have an employee handbook? 2 A. An employee handbook? 3 Q. Right. 4 A. Such as? 5 Q. Do you know what an employee handbook is? 6 A. Well, I guess not. 7 Q. A booklet that typically companies give out 8 advising employees of the company's rules and 9 policies? 10 A. Okay. Rules and policies, no, I don't think 11 we do. 12 Q. Handbook? Y'all don't have one? 13 A. I don't think so. 14 (Exhibit No. 7 marked.) 15 Q. (By Mr. Costea) Mr. Landis, we are looking 16 at Exhibit No. 7. Have you seen this document before 17 today? 18 A. No. 19 Q. This document at the top is identified as 20 being a job skills inventory, right? 21 A. Yes. 22 Q. Who fills out this form? 23 A. Who fills it out? 24 Q. Yes. 25 MS. WHITE: Objection. Form.</p>
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<p>1 A. Right. 2 Q. Do you recall the name of the person that 3 gave the seminar? 4 A. I think it was Nicole Derrick. 5 Q. Nicole Derrick? 6 (Witness moving head up and down.) 7 Q. (By Mr. Costea) What was her job at HR? 8 A. She's HR manager now. 9 Q. At 529? 10 A. Yes. 11 Q. And what was Mr. Butler's position in 12 October, 2009? 13 A. In October, 2009 he was an HR manager. 14 Q. And what is his job now? 15 A. He's in HS&amp;E at a different location. 16 Q. HS and -- 17 A. Health safety and environmental. 18 Q. Something environmental? 19 A. Yeah. 20 Q. Were you given any handouts in the sexual 21 harassment training like, I don't know, papers, 22 documents, statements about sexual harassment, a 23 little booklet, a pamphlet, a flyer, anything along 24 those lines, materials? 25 A. Not that I'm aware of.</p>	<p>1 Q. (By Mr. Costea) Meaning what is the 2 procedure? I think I understand the rationale for a 3 job skills inventory on employees but my question is: 4 Who fills it out? Is it HR? Is it the employee 5 himself? 6 A. I've never done it. Probably the employee 7 fills it out. 8 Q. The employee himself? 9 A. I would suspect. 10 Q. I don't have anymore documents. I might 11 have a couple more questions. Just bear with me, 12 please. Is the name Miguel Gutierrez familiar to 13 you? 14 A. Again? 15 Q. Okay. Did he ever complain to you about 16 Mr. Hunt? 17 A. Not that I know of. 18 Q. Now, among the documents that I don't -- 19 well, it might be in one of the exhibits; but we don't 20 have to reference that specific exhibit. There's talk 21 about Mr. Garza being asked to come back and take his 22 tools. Do you remember him being told to do so after 23 he was terminated to come back and pick up his tools? 24 MS. WHITE: Objection. Form. 25 A. That would be standard procedure, yes.</p>

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1 Q. (By Mr. Costea) Am I to understand that the	1 WITNESS' SIGNATURE PAGE
2 employees provided their own tools as opposed to the	2 DEPOSITION OF JACK LANDIS
3 company providing tools to employees?	3 TAKEN OCTOBER 8, 2013
4 A. It's a split. The employee furnishes their	4
5 own small tools, hand tools. Now, as far as bigger	5 I, JACK LANDIS, have read the foregoing
6 wrenches, three quarter drive up and torque wrenches,	6 deposition and hereby affix my signature that same is
7 especially wrenches, the company furnishes.	7 true and correct, except as noted above.
8 Q. When you wrote your statement in October,	8
9 2009, the one that -- the handwritten statement, were	9 JACK LANDIS
10 you in the presence of Mr. Warren, Mr. Butler,	10 THE STATE OF _____
11 Mr. Lopez when you wrote your statement?	11 COUNTY OF _____
12 A. No.	12
13 Q. Y'all wrote your statements separate from	13 Before me, _____, on this day personally
14 one another?	14 appeared JACK LANDIS, known to me (or proved to me
15 MS. WHITE: Objection. Form.	15 under oath or through _____) (description of
16 A. Yes.	16 identity card or other document) to be the person
17 MR. COSTEA: Okay. That's all I have.	17 whose name is subscribed to the foregoing instrument
18 Thank you very much. I pass the witness.	18 and acknowledged to me that they executed the same for
19 MS. WHITE: We'll reserve our questions	19 purposes and consideration therein expressed.
20 until the time of trial.	20
21 (Deposition concluded at 11:34 a.m.)	21 Given under my hand and seal of office on this _____
22	22 day of _____, _____.
23	23
24	24 NOTARY PUBLIC IN AND FOR
25	25 THE STATE OF _____
Page 63	Page 65
1 WITNESS' CHANGE/CORRECTION PAGE	1 COUNTY OF HARRIS )
2 DEPOSITION OF JACK LANDIS	2 STATE OF TEXAS )
3 TAKEN OCTOBER 8, 2013	3
4 PAGE/LINE CHANGE REASON	4 REPORTER'S CERTIFICATE
5 _____	5 I, LANA SHOLDERS, Certified Shorthand Reporter in and
6 _____	6 for the state of Texas, hereby certify that this
7 _____	7 transcript is a true record of the testimony given by
8 _____	8 the witness named herein, after said witness was duly
9 _____	9 sworn by me.
10 _____	10
11 _____	11 I further certify that I am neither attorney nor
12 _____	12 counsel for, related to, nor employed by any of the
13 _____	13 parties to the action in which this testimony was
14 _____	14 taken. Further, I am not a relative or employee of
15 _____	15 any attorney of record in this cause, nor do I have a
16 _____	16 financial interest in the action.
17 _____	17
18 _____	18 Certified to by me this the 28th day of October, 2013.
19 _____	19
20 _____	20
21 _____	21 <i>Lana Sholders</i>
22 _____	22 LANA SHOLDERS, Texas C
23 _____	23 Expiration Date: 12-31-14
24 _____	24 Firm Registration # 530
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17 (Pages 62 to 65)

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